



**Wisconsin Department of Natural Resources**  
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## **Wisconsin Department of Natural Resources**

# **Public Hearings and Meetings**

### **August 9-15, 2009**

Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call the contact person listed for the meeting or hearing with specific information on your request before the date of the scheduled hearing.

DNR Public Hearings and Meetings are also available on the DNR Web site at

<http://dnr.wi.gov/org/caer/ce/news/hearmeet.html>

### **Hearings**

**August 13** - Pursuant to § 285.81 Wis. Stats., and ch NR 400 Wis. Admin. Code, the State of Wisconsin Division of Hearings and Appeals will initiate a telephone prehearing conference in the matter of the petition for review of air quality permits issued to the Wisconsin Public Service Commission for its Pulliam facility located at 1530 Bylsby Ave., Green, Bay, Brown County at 10 a.m. originating from the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, **Madison**. The Department of Natural Resources issued Construction Permit No. 02-RV-032-R2 and Operation Permit No. 405031990-P20 to the Wisconsin Public Service Commission for its Pulliam facility A verified Petition for Review of the permits was filed by Attorneys Linda Benfield and Brian H. Potts on behalf of the Wisconsin Public Service Corporation. On July 20, 2009, the DNR filed a Request for Hearing with the Division of Hearings and Appeals regarding the issue of whether averaging periods for emission limitations should have been included in the permits. When the hearing is held it will be a Class 1 contested case pursuant to § 285.81 Wis. Stats. For information contact the Division of Hearings and Appeals at (608) 266-7709.

**August 13, 18, 19, 27 & 31** - Pursuant to §§ 29.014, 29.885(3)b., 169.11, 169.36(9)(b) and 227.11, Stats., interpreting §§ 29.014, 29.885(3)b., 169.11 and 169.36(9)(b) Stats., the Department of Natural Resources will hold public hearings on Board Order WM-21-07 relating to revisions to chs. NR 12 and 16, Wis. Adm. Code relating to regulating feral or wild swine, wolf-dog hybrids and mute swans as captive wild animals. 2007 ACT 119 (§ 169.11 Stats.) requires that the department designate wild or feral hogs as harmful wild animals. The same statute, § 169.11 Stats., also authorizes that any non-native animal that is a threat to the environment, public health or the health of domestic animals, or is capable of inflicting severe physical harm to humans or domestic animals may be designated a harmful wild animal. The proposed rule and fiscal estimate may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed rule may be submitted via U.S. mail to Scott Loomans, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Comments may be submitted until August 31, 2009. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. For more information or a copy of the proposed rule and fiscal estimate contact Scott Loomans at (608) 267-2452. Loomans. The hearing will all begin at 6 p.m. at the West Bend Public Agency Center, room 1113 A and B, 333 E. Washington St., **West Bend**. Additional hearings will be held August 18, 19, 27 & 31.

(more)

**August 13** - Pursuant to §§ 29.014 and 227.11, Stats., interpreting §§ 29.014, 29.889(12), and 227.11, Wis. Stats., the Department of Natural Resources will hold public hearings on Board Order WM-16-09 relating to revisions to ch. NR 10, Wis. Adm. Code relating to deer management unit population goals. There are currently 131 deer management units with individual overwinter populations goals and a statewide over winter population goal of approximately 737,000 deer. Over winter population goals and DMUs serve as the foundation for managing the deer herd and determining deer hunting season structures. All goals referred to in this rule are the over winter deer population goal for a DMU. The hunting season population will generally be substantially larger than the over winter population goal. The Department is proposing raising deer population goals in 13 management units and lowering the goal in three. These changes are recommended to provide hunters with more deer hunting opportunities in instances where goals are proposed for increases and to alleviate agricultural damage in the instances where the goals have been recommended for a decrease. The department does not anticipate significant ecological, agricultural or forestry impacts because of the proposed goal increases. However, there is a concern that a higher goal with low hunter densities will mean continuous herd control seasons. Written comments on the proposed rule may be submitted via U.S. mail to Scott Loomans, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Comments may be submitted until August 31, 2009. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. For more information or a copy of the proposed rule and fiscal estimate contact Scott Loomans at (608) 267-2452. Loomans. The hearing will all begin at 7 p.m. at the West Bend Public Agency Center, room 1113 A and B, 333 E. Washington St., **West Bend**. Additional hearings will be held August 18, 19, 27 & 31.

**August 14** - Pursuant to §§ 29.014(1), 29.039, 29.405 (3), 29.053, 29.531 and, 29.533, Wis. Stats., interpreting §§ 29.014 (1), 29.039, 29.041, 29.405 (3) and 227.11 (2) (a), Wis. Stats. the Department of Natural Resources will hold public hearings on revisions to chs. NR 19, 20, 21, 22 and 23, Wis. Adm. Code, relating to minor, non-substantive "housekeeping" changes to fishing regulations on the inland, outlying and boundary waters of Wisconsin at 2 p.m. in Room 406 of the State Natural Resources Building (GEF 2), 101 S. Webster St., **Madison**. The proposed rules will: 1) Clarify that hoop nets may not be set within 200 feet of a fishway, lock, or dam, and that individuals may not use hook-and-line, setlines, or nets for taking turtles in a way or during any time when these methods are prohibited for fishing; 2) Clarify that the possession limit for trout from inland waters is 10 fish, and is separate from the possession limit for Great Lakes trout and salmon; 3) Clarify language governing the prohibition of tagging and releasing fish without a permit; 4) Resolve conflicts between state statute and administrative code regarding rules governing fishing with a bow and arrow. State statute provides that the department shall allow bowfishing at night wherever it is allowed during daylight hours in inland, outlying, and boundary waters; 5) Correct administrative errors which occurred during the drafting of rules regarding harvest of catfish from Winnebago system waters. There is a total daily bag limit of one flathead catfish, rather than 2, allowed from Winnebago system waters, and there is no closed season for channel catfish in these waters; 6) Clarify that dip netting and seining for cisco and whitefish are permissible at any time of day in Keyes lake (Florence county), Trout and Palette lakes (Vilas county), and in all other waters not specifically listed in the county and statewide table in s. NR 20.20, and also clarify that seining for smelt is permissible any time of day in Lake Superior; 7) Repeal code related to walleye harvest regulations in Enterprise lake (Langlade county). The code being repealed was improperly placed in the section for rules related to lakes in Lincoln county. The proper code related to walleye regulations in Enterprise lake already exists under the section related to rules for lakes in Langlade county; 8) Correct an omission which occurred in the implementation of rules which extended the open season for muskellunge in waters south of Highway 10 from November 30 to December 31. The later season-ending date applies to Winnebago system waters; 9) Correct the effective end date for bag limit adjustments made in the Wisconsin Ceded territory in response to tribal declarations and harvest, and correct inconsistency in language which applies to readjustments of bag limits after spring tribal harvest; 10) Clarifies license requirements for anglers fishing Wisconsin- Iowa boundary waters, and corrects the name of the boundary on the Wisconsin side of the Mississippi river; and 11) Correct omissions made during the implementation of rules governing harvest of lake sturgeon from Wisconsin-Michigan boundary waters. Rules which were adopted for inland waters also applied to these boundary waters, but the appropriate changes in code were not made. The proposed rules and fiscal estimates may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed changes may be submitted via U.S. mail to Joseph Hennessy, Bureau of Fisheries Management, PO Box 7921, Madison, WI 53707. Written comments shall be postmarked not later than August 5, 2009. Written comments whether submitted electronically or by U.S. mail will be summarized for the Natural Resources Board. Written comments will have the same weight and affect as oral statements presented at the hearings. For more information or a copy of the proposed rules and fiscal estimate contact Joseph Hennessy at (608) 267-9427.

## Meetings

**August 11** - A combination of the Technical Focus Group and the Brownfield's Study Group will meet from 1 to 3 p.m. in room 513 of the State Natural Resources Building (GEF 2), 101 S. Webster St., **Madison**. The primary purpose of the meeting is for Group members to provide feedback to the Remediation and Redevelopment Program on proposed changes to several NR 700 rules. For more information, contact Mark Gordon at 608-266-7278 or at [mark.gordon@wisconsin.gov](mailto:mark.gordon@wisconsin.gov).

**August 11-12** - The State [Natural Resources Board](http://dnr.wi.gov/org/nrboard/) [http://dnr.wi.gov/org/nrboard/] will meet at the Flat Creek Inn & Suites, 10290 Hwy 27 South, **Hayward**. [NRB meeting agendas](http://dnr.wi.gov/org/nrboard/agenda.html) [http://dnr.wi.gov/org/nrboard/agenda.html] are available on the Natural Resources Board Web pages. For more information contact Laurie Ross, Natural Resources Board Liaison at (608) 267-7420.

**August 13** - The Stewardship Advisory Council will meet from 10 a.m. to 3 p.m. at the Lussier Family Heritage Center located at 3101 Lake Farm Road in **Madison**. The Council will discuss issues relating to Stewardship grants available to local communities and non-profit conservation organizations to protect land and provide recreational activities for the public. For more information call Kim Wright at (608) 266-0868 or email her at [kimberlee.wright@wi.gov](mailto:kimberlee.wright@wi.gov)